

FORM PTO-1390  
(REV 10-95)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. §371**

SCH 1743

U.S. APPLICATION NO. (If known, see 37 CFR §1.5)

**09/509608**

INTERNATIONAL APPLICATION NO.

PCT/EP98/06134

INTERNATIONAL FILING DATE

28 September 1998

PRIORITY DATE CLAIMED

30 September 1997

TITLE OF INVENTION

PROCESS FOR THE PRODUCTION OF ERGOSTEROL AND ITS INTERMEDIATE PRODUCTS USING RECOMBINANT YEASTS

APPLICANT(S) FOR DO/EO/US

WEBER, Alfred, et al.

**Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:**

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. §371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. §371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. §371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. §371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19<sup>th</sup> month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. §371(c)(2))
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. §371(c)(2)).
7. ☐ A copy of the International Search Report (PCT/ISA/210).
8. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. §371(c)(3))
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
  - b. ☒ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
9. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. §371(c)(3)).
10. ☐ An oath or declaration of the inventor(s) (35 U.S.C. §371(c)(4)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. §371(c)(5)).

**Items 13. to 19. below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 C.F.R. §§1.97 and 1.98.
14. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. §§3.28 and 3.31 is included.
15. ☒ A **FIRST** preliminary amendment.
  - ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
16. ☐ A substitute specification.
17. ☐ A change of power of attorney and/or address letter.
18. ☐ Certificate of Mailing by Express Mail
19. ☐ Other items or information:

U.S. APPLICATION NO. (if known, see 37 C.F.R. § 1.53)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NUMBER	
09/509608		PCT/EP98/06134		SCH 1743	
17. <input checked="" type="checkbox"/> The following fees are submitted: <b>BASIC NATIONAL FEE ( 37 CFR §1.492 (a) (1) - (5)):</b> Search Report has been prepared by the EPO or JPO..... \$840.00 International preliminary examination fee paid to USPTO (37 CFR §1.482)..... \$670.00 No international preliminary examination fee paid to USPTO (37 CFR §1.482) but international search fee paid to USPTO (37 CFR §1.445(a)(2))..... \$760.00 Neither international preliminary examination fee (37 CFR §1.482) nor international search fee (37 CFR §1.445(a)(2)) paid to USPTO..... \$970.00 International preliminary examination fee paid to USPTO (37 CFR §1.482) and all claims satisfied provisions of PCT Article 33(2)-(4)..... \$96.00 <b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b>				<b>CALCULATIONS</b> PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 C.F.R. §1.492(e)). <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30				\$840.00	
				\$130.00	
CLAIMS		NUMBER FILED		NUMBER EXTRA	
Total claims		26 - 20 =		6	
Independent claims		8 - 3 =		5	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)				+ \$ 260.00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>					
Reduction of ½ for filing by small entity, if applicable. A Verified Small Entity Statement must also be filed (Note 37 C.F.R. §§1.9, 1.27, 1.28).					
<b>SUBTOTAL =</b>				\$1,468.00	
Processing fee of \$130.00 for furnishing the English translation later than months from the earliest claimed priority date (37 C.F.R. §1.492(f)). <input type="checkbox"/> 20 <input type="checkbox"/> 30					
<b>TOTAL NATIONAL FEE =</b>				\$1,468.00	
Fee for recording the enclosed assignment (37 C.F.R. §1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 C.F.R. §§3.28, 3.31). \$40.00 per property.					
<b>TOTAL FEES ENCLOSED =</b>				\$1,468.00	
				Amount to be refunded:	
				charged:	
a. <input checked="" type="checkbox"/> A check in the amount of \$1,468.00 to cover the above fees is enclosed.					
b. <input type="checkbox"/> Please charge my Deposit Account No. 13-3402 in the amount of \$ to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. A duplicate copy of this sheet is enclosed.					
<b>NOTE: Where an appropriate time limit under 37 C.F.R. §§1.494 or 1.495 has not been met, a petition to revive (37 C.F.R. §1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>					
SEND ALL CORRESPONDENCE TO:					
MILLEN, WHITE, ZELANO & BRANIGAN, P.C. Arlington Courthouse Plaza I 2200 Clarendon Boulevard, Suite 1400 Arlington, Virginia 22201 (703) 243-6333					
Filed: March 30, 2000					
AJZ:aeK					
				SIGNATURE	
				Anthony J. Zelano	
				NAME	
				27,969	
				REGISTRATION NUMBER	

1 PART

09/509608  
422 Rec'd PTO 30 MAR 2000

PCT

WORLD INTELLECTUAL PROPERTY ORGANIZATION

International Office

INTERNATIONAL APPLICATION PUBLISHED ACCORDING TO THE PATENT  
COOPERATION TREATY (PCT)

(51) International patent classification<sup>6</sup>: C12N 15/52, 15/81,  
1/19, C12P 5/02, 7/04, 7/02, 33/00 A1

(11) International publication number: WO 99/16886

(43) International publication date: April 8, 1999 (4/8/99)

(21) International file number: PCT/EP98/06134

(22) International application date: September 28, 1998 (9/28/98)

(30) Priority data: 197 44 212.9 September 30, 1997 (9/30/97) DE

(71) Applicant (for all designated countries except US):

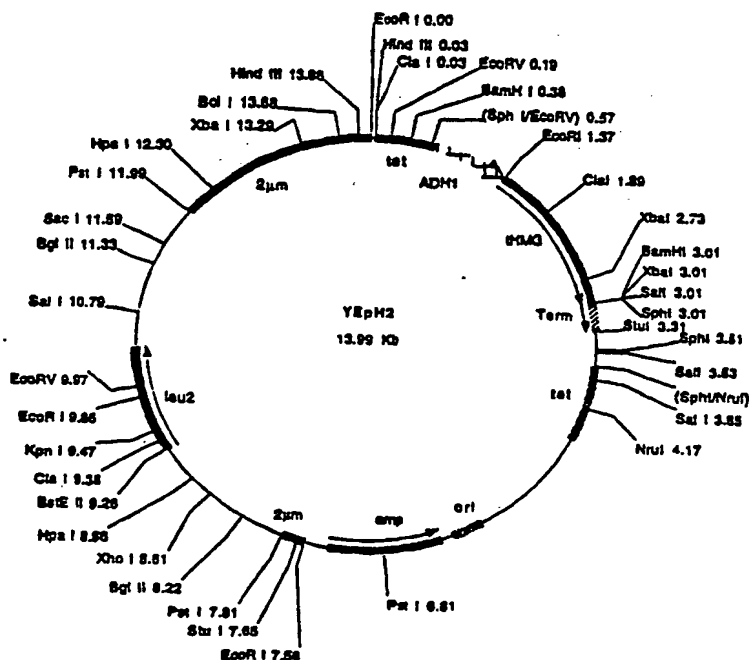
SCHERING AKTIENGESELLSCHAFT [DE/DE]; Müllerstrasse 178,  
P.O. Box 65 03 11, D-13342 Berlin (DE).

(72) Inventors; and

(75) Inventors/applicants (only for US):

WEBER, Alfred [DE/DE]; Schützallee 56, D-14169 Berlin (DE).  
KLAGES, Uwe [DE/DE]; Schramberger Strasse 19, D-13467 Berlin  
(DE). KENNECKE, Mario [DE/DE]; Taubertstrasse 31 f, D-14193  
Berlin (DE). LANG, Christine [DE/DE]; Goethestrasse 59, D-  
10625 Berlin (DE). STAHL, Ulf [DE/DE]; Mühlenfeldstrasse  
115, D-13467 Berlin (DE). POLAKOWSKI, Thomas [DE/DE];  
Egelsstrasse 2, D-13507 Berlin (DE).

(81) Designated countries: AL, AM, AT, AU, AZ, BA, BB, BG, BR,  
BY, CA, CH, CN, CU, CZ, DK, EE, ES, FI, GB, GD, GE, GH, GM,  
HR, HU, ID, IL, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS,



FOR INFORMATION ONLY

Codes used for identifying PCT member countries on the head sheets of the publications of international applications according to the PCT.

AL	Albania
AM	Armenia
AT	Austria
AU	Australia
AZ	Azerbaijan
BA	Bosnia-Herzegovina
BB	Barbados
BE	Belgium
BF	Burkina Faso
BG	Bulgaria
BJ	Benin
BR	Brazil
BY	Belarus
CA	Canada
CF	Central African Republic
CG	Congo
CH	Switzerland
CI	Ivory Coast
CM	Cameroon
CN	China
CU	Cuba
CZ	The Czech Republic
DE	Germany
DK	Denmark
EE	Estonia
ES	Spain
FI	Finland
FR	France
GA	Gabon
GB	United Kingdom
GE	Georgia
GH	Ghana
GN	Guinea
GR	Greenland
HU	Hungary
IE	Ireland
IL	Israel
IS	Iceland
IT	Italy
JP	Japan

KE Kenya  
KG Kyrgyzstan  
KP Democratic People's Republic of Korea  
KR Republic of Korea  
KZ Kazakhstan  
LC St. Lucia  
LI Liechtenstein  
LK Sri Lanka  
LR Liberia

LS Lesotho  
LT Lithuania  
LU Luxembourg  
LV Latvia  
MC Monaco  
MD Republic of Moldova  
MG Madagascar  
MK the former Yugoslavian Republic of Macedonia  
ML Mali  
MN Mongolia  
MR Mauritania  
MW Malawi  
MX Mexico  
NE Niger  
NL The Netherlands  
NO Norway  
NZ New Zealand  
PL Poland  
PT Portugal  
RO Romania  
RU Russian Federation  
SD Sudan  
SE Sweden  
SG Singapore

SI Slovenia  
SK Slovakian Republic  
SN Senegal  
SZ Swaziland  
TD Chad  
TG Togo  
TJ Tajikistan  
TM Turkmenistan  
TR Turkey  
TT Trinidad and Tobago  
UA The Ukraine  
UG Uganda  
US United States of America  
UZ Uzbekistan  
VN Vietnam  
YU Yugoslavia  
ZW Zimbabwe